

**Planning Commission  
Staff Report  
June 7, 2007**



<b>Case:</b>	9-06-07
<b>Project Name:</b>	Hoops Grill and Sports Bar
<b>Location:</b>	6729 Strawberry Lane
<b>Owner(s):</b>	Self Properties, LLC
<b>Applicant:</b>	Self Properties, LLC
<b>Representative:</b>	Paul Whitty
<b>Project Size/Area:</b>	27,296 square feet
<b>Jurisdiction:</b>	Louisville Metro
<b>Council District:</b>	21 – Dan Johnson
<b>Case Manager:</b>	Jon E. Crumby, Planner II

**Request**

Approval of a change in zoning from C-1 Commercial to C-2 Commercial.

**Staff Recommendation**

Staff recommends **approval** of the requested change in zoning based upon the site inspection, information provided by the applicant, research done by the staff and the findings of fact stated in this report.

**Case Summary / Background**

**Summary**

The applicant is requesting a change in zoning on a portion of the existing site to C-2 Commercial to allow alcohol consumption and outdoor dining. The outside dining area for the Hoops Grill and Sports Bar will be located on the southwest side of the restaurant facing Strawberry Lane and will consist of five (5) tables.

### ***Land Use / Zoning District / Form District***

	<b><i>Land Use</i></b>	<b><i>Zoning</i></b>	<b><i>Form District</i></b>
<b><i>Subject</i></b>			
<b><i>Existing</i></b>	<i>Commercial</i>	<i>C-1</i>	<i>TN</i>
<b><i>Proposed</i></b>	<i>Commercial (outdoor dining)</i>	<i>C-1, C-2</i>	<i>TN</i>
<b><i>Surrounding</i></b>	<i>Various Commercial, Residential Single Family</i>	<i>C-1, R-5</i>	<i>TN</i>
<b><i>North</i></b>	<i>Various Commercial, Residential Single Family</i>	<i>C-1, C-2, R-4</i>	<i>TN</i>
<b><i>South</i></b>	<i>Various Commercial, Residential Single Family</i>	<i>C-1, C-2</i>	<i>TN</i>
<b><i>East</i></b>	<i>Various Commercial, Residential Single Family</i>	<i>C-1, R-5</i>	<i>TN</i>
<b><i>West</i></b>	<i>Various Commercial, Residential Single Family</i>	<i>C-1, R-5</i>	<i>TN</i>

### ***Site Context***

This site is located on the northeast corner of Roberts Avenue and Strawberry Lane and forms an intersection with Southside Drive and Thalia Avenue.

### ***Hours of operation:***

Hoops-----Monday through Saturday---11:00 am to 2:00 am  
Sunday-----12 noon to 2:00 am

### ***Background***

No previous zoning cases have occurred on this site.

### **Project History**

<b>Project History</b>	<b>Date</b>	<b>Issues addressed / discussion / changes to proposal</b>
Pre-App review	1/25/2006	
Project submittal	1/25/2007	
Revision Summary #1	3/26/2007	Show existing landscaping, sign size, height, and location; elevations of the building on all facades.
Revision Summary #2	N/A	
LD&T meeting	4/26/07	Approved and public hearing date was set for June 7, 2007

Note: The following information represents staff analysis of the subject property with respect to site inspection/observation, sound planning practices, and adopted policies and regulations of the jurisdiction. Materials submitted by the

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applicant or their representative prior to the deadline for filing information related to cases docketed for this hearing were reviewed and specifically applied in the staff review of this request. The board is advised to consider this staff report as well as new information introduced at the hearing in formulating their decision.

### ***Staff Findings***

Relationship to the Comprehensive Plan – Cornerstone 2020 Plan Elements: to be reviewed at Public Hearing

### **Form Districts**

**1.B.2 Traditional Neighborhood Form Districts** will required particular emphasis on (a) preservation and renovation of existing buildings in stable neighborhoods (if the building design is consistent with the predominant building design in those neighborhoods), (b) the preservation of the existing grid pattern of streets and alleys. The Hoops Grill and Sports Bar has been at this site since January 20, 1994. The structure and signage will not change.

**2.1 Activity Centers** are appropriate for Traditional Neighborhood Form Districts if located at the intersection of a collector roadway, or above, with at least one corner containing a non-residential use. Strawberry Lane is classified as a collector level street. Other corners of the intersection of Strawberry Lane and Roberts Avenue are commercially zoned and utilized.

**3.1.3.7, 3.28 Compatibility** will ensure that land uses are located, designed and constructed to be compatible with nearby land uses and to minimize impacts to residential areas, schools and other sensitive areas in the community. The building and signage will remain the same which will ensure that the scale and site design will be compatible with nearby existing commercial developments.

### ***Signage***

There are three existing attached signs on the building. The front façade facing Strawberry Lane has a 94 square feet sign. The façade facing the parking lot to the northeast has a 24 square feet sign and the façade facing Roberts Avenue has a 29 square feet sign.

**7.1, 7.2, 7.3, 7.4, 7.5, 7.9, 7.10 Circulation** should ensure a balanced and comprehensive multi-modal transportation network that is coordinated with desired growth and development patterns and provides for the movement of people and goods. The proposed outdoor seating area will not substantially increase traffic to the site. TARC has service in the area and sidewalks exist along the Roberts Avenue and Strawberry Lane frontages. Pedestrian access to the structure will be provided from Roberts Avenue and Strawberry Lane. Four (4) short-term and two (2) long-term bicycle parking spaces will be located in the basement of the existing building.

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**10.1 Flooding and Stormwater** should be minimized to reduce the potential for and impact of flooding and effectively manage stormwater. MSD has reviewed and stamped the plan.

**13.1 Landscape character** should be protected and enhanced. No new impervious surface is proposed so there are no landscaping requirements.

**Relationship to Neighborhood, Small Area, Corridor or Other Plans**

None

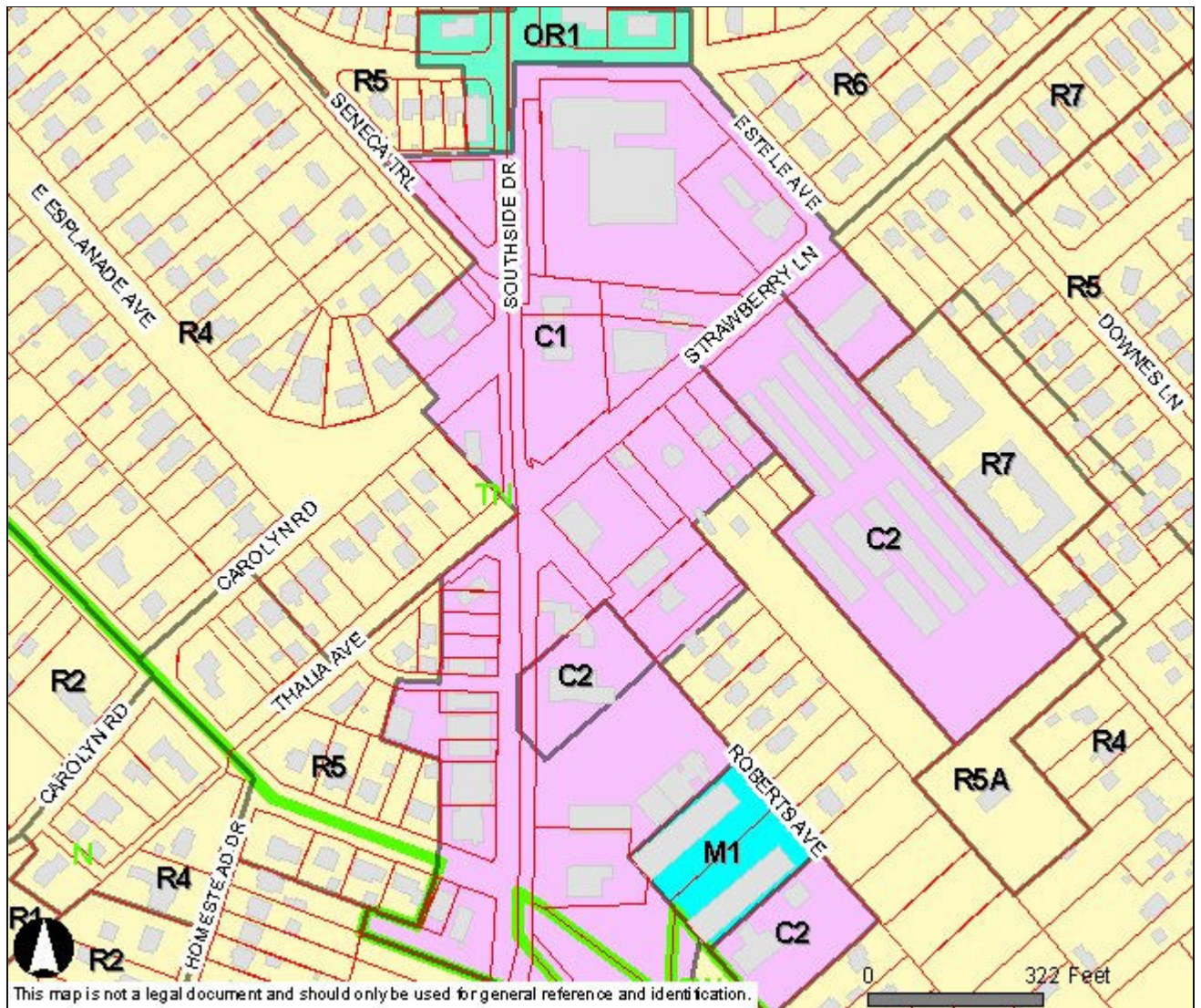
**Standard of Review**

Criteria for granting the proposed rezoning:

1. The proposed rezoning complies with the applicable guidelines and policies Cornerstone 2020; **or**
2. The existing zoning classification is inappropriate and the proposed classification is appropriate; **or**
3. There have been major changes of an economic, physical, or social nature within the area involved, which were not anticipated in Cornerstone 2020, which have substantially altered the basic character of the area.

**Attached Documents/Information**

1. Zoning Map
2. Aerial Map
3. Letter from concerned citizen







### **Notification**

The following forms of notification were provided pertaining to this proposal:

### **Notification**

<b>Date</b>	<b>Description</b>	<b>Recipients</b>
5-8-07	Notice of PC Meeting	Adjoining property owners and neighborhood group listing.

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### **Proposed Binding Elements - Docket #9-06-07**

All binding elements from the approved General Development Plan are applicable to this site, in addition to the following:

1. The development shall be in accordance with the approved district development plan, all applicable sections of the Land Development Code (LDC) and agreed upon binding elements unless amended pursuant to the Land Development Code. Any changes/additions/alterations of any binding element(s) shall be submitted to the Planning Commission or the Planning Commission's designee for review and approval; any changes/additions/alterations not so referred shall not be valid.
2. The applicant, developer, or property owner shall provide copies of these binding elements to tenants, purchasers, contractors, subcontractors and other parties engaged in development of this site and shall advise them of the content of these binding elements. These binding elements shall run with the land and the owner of the property and occupant of the property shall at all times be responsible for compliance with these binding elements. At all times during development of the site, the applicant and developer, their heirs, successors; and assignees, contractors, subcontractors, and other parties engaged in development of the site, shall be responsible for compliance with these binding elements.
3. Outdoor service shall be shut down at 11:00 p.m.
4. Dumpsters shall be serviced only between the hours of 7:00 a.m. and 10:00 a.m.
5. All commercial radio promotions shall be conducted indoors.
6. The materials and the design of any proposed and/or existing structures/signage shall be substantially the same as depicted in the renderings presented at the June 7, 2007, Planning Commission meeting.

The above binding elements of the district development plan are agreed to by the property owner \_\_\_\_\_, 2007.

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OWNER OR OWNER'S AUTHORIZED REPRESENTATIVE

**All binding elements and/or conditions of approval stated in this report are accepted in total without exception by the entity requesting approval of this (these) development item(s).**

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Name

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Title

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Date